

**NOTICE OF MATERIALMAN'S AND LABORER'S
LIEN PURSUANT TO M.C.A. §85-7-131 ET SEQ.**

STATE OF MISSISSIPPI
COUNTY OF DESOTO

TO: R & W DEVELOPERS, LLC
5627 Getwell Road
Southaven, MS 38671

Charles Carter, d/b/a Home Repair Company, hereby serves notice on R & W Developers, LLC, 5627 Getwell Road, Southaven, MS 38671 by forwarding via Certified Mail, Receipt Requested, a Materialman's and Laborer's Lien under the provisions of M.C.A. §85-7-131, et. seq., and hereby notified the said R & W Developers, LLC, of the claim of Charles W. Carter, d/b/a Home Repair Company, and in support thereof, would show and state the following:

1. That R & W Developers, LLC, is the owner of the following described land located in DeSoto County, Mississippi, more particularly described as follows, to wit:

Lots 1, 2, 3 and 4 of Phase I Deerchase Office Park situation in Section 4, Township 2 South, Range 7 West, City of Southaven, DeSoto County, Mississippi, as shown on plat of record n Plat Book 82, Pages 13 & 14, in the Office of the Chancery Court Clerk of DeSoto County, Mississippi, to which plat referenced is hereby made for a more particular description of said Lots (the "Property").

2. That Charles Carter, d/b/a Home Repair Company, contracted with Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, to provide for commercial renovations ("construction") on Lot 1 of the property described above. That pursuant thereto, Charles Carter, d/b/a Home Repair Company, did provide for construction on the property described above, and that as a result thereof, there is presently due to Charles Carter, d/b/a Home Repair Company, the sum of forty-two thousand six-hundred dollars and zero cents (\$42,600.00).

3. That there is unpaid at this time, as by the sworn Affidavit of Account of Charles

*preparer
(folded)*

Carter, d/b/a Home Repair Company, attached hereto as Exhibit "A" the sum of \$42,600.00, which said sum is presently due and owing and which said sum the said Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, has refused to pay although requested many times to do so.

4. That Charles Carter, d/b/a Home Repair Company, is claiming benefit of M.C.A. §85-7-131, et. seq., under which it is entitled to be paid for construction services and materials in the sum of \$42,600.00 and as such is asserting a lien against the property hereinabove described.

5. The parties affected by this notice are:

R & W Developers, LLC	MidSouth Fitness	Builders Unlimited
5627 Getwell Road	c/o Kelly Armstrong	P.O. Box 816
Southaven, MS 38671	5748 Getwell Rd.	Southaven, MS 38671
	Southaven, MS 38671	


WITNESS MY SIGNATURE, this the 30th day of December, 2008.


Charles Carter, d/b/a Home Repair Company

AFFIDAVIT TO ACCOUNT

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Charles Carter, d/b/a Home Repair Company, who having been by me duly sworn, on oath states that Lessee/Agent Kelly Armstrong of owner R & W Developers, LLC, is severally indebted in the sum of \$42,600.00, and that the account thereto attached is due and owing from the party against whom it is charged.


Charles Carter, d/b/a Home Repair Company

SWORN TO AND SUBSCRIBED BEFORE ME, this the 30th day of December, 2008.


NOTARY PUBLIC

My Commission Expires: 5-20-2012



PREPARED BY:

A handwritten signature in black ink, appearing to read 'Angela M. Jones', is written over a horizontal line.

ANGELA M. JONES, MSB#102021

2462 Church Street, Suite A

Hernando, Mississippi 38632

Tel: (662) 429-2226

Fax: (662) 429-2669

Attorney for Charles Carter,

d/b/a Home Repair Company

AFFIDAVIT OF ACCOUNT

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Before me the undersigned authority on this day personally appeared Charles Carter, d/b/a Home Repair Company, who after being by me duly sworn upon his oath, deposed and said that, within his knowledge, the amount claimed in the foregoing Notice of Materialman's and Laborer's Lien is just and true and that the money is due by and through and that said lien is currently unpaid and that all just and lawful offsets, payments and credits have been allowed.

CHARLES CARTER,
d/b/a HOME REPAIR COMPANY

BY:

Charles W. Carter
CHARLES CARTER

TITLE:

Owner

SWORN TO AND SUBSCRIBED BEFORE ME, this the 3rd day of December, 2008.

My Commission Expires:

5-20-2012



Brigitte D. Hardy
NOTARY PUBLIC

Exhibit
"A"